

MEMORANDUM

Re: Stephanie Jo Cain

Case No. 12-00268-14-CR-W-DGK

**Violation Report - Warrant Recommended**

December 20, 2019

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

TO THE HONORABLE GREG KAYS
U.S. DISTRICT JUDGE:

JAN 21 2020

JAMES M. McCORMACK, CLERK
By: *[Signature]* DEP CLERK

Sentencing History

Offense: Count 1: Conspiracy to Distribute Some Amount of Methamphetamine
 Count 2: Conspiracy to Commit Money Laundering

Date Sentence Imposed: 11/24/2014 Sentence Imposed: Cts.1&2: 96 months
 custody, to run concurrently
 Cts. 1&2: 36 months TSR,
 to run concurrently
 \$200 special assessment

Special Conditions:

Substance Abuse Treatment and Testing
 No Alcohol
 WDMO Employment Guideline
 Mental Health Treatment
 Search and Seizure
 GED
 Satisfy Warrant/Pending Charges
 No Driving (suspended 4/30/2019)

Date Supervision Began: 4/9/2019 Expiration Date: 4/8/2022

Alleged Violations

Violation of Mandatory Condition, which reads, "The defendant shall refrain from any unlawful use of a controlled substance."

Violation of Standard Condition, which reads, "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician."

Type of Test/Specimen No.	Test Date	Test Result
Sweat Patch/000187324	11/26/19-12/3/19	Methamphetamine

Violation of Standard Condition, which reads, “The defendant shall notify the probation officer ten days prior to any change in residence or employment.”

On November 18, 2019, Cain moved into the Hammond Place Oxford House located in Gladstone, Missouri. On December 19, 2019, this officer spoke with the house manager who reported that Cain had not stayed the night there the previous two evenings. The house manager reported Cain was in communication with her until approximately 8:30 p.m. on December 17, 2019. She has not heard from Cain since then. Cain has not contacted this officer to notify of any changes in her residency or her current whereabouts.

Violation of Special Condition, which reads, “The defendant shall successfully participate in any substance abuse counseling program, which may include urinalysis, sweat patch, or Breathalyzer testing, as approved by the Probation Office and pay any associated costs as directed by the Probation Office.”

On December 19, 2019, Cain was scheduled to meet with her counselor at ReDiscover at 6:00 p.m. Cain failed to report to her scheduled appointment. She did not call or make any notification to this officer or counselor about her whereabouts.

Previous Violations in Instant Supervision

Conduct While in the Re-Entry Court Program:

Cain began the Re-Entry Court (REC) program on April 18, 2019. Unfortunately, Cain struggled from the beginning of supervision with stability in regard to her sobriety, decision making, and lack of family support system.

On April 18, 2019, Cain submitted a sweat patch yielding positive results for methamphetamine. She denied any use of illicit substances. She was sanctioned with a loss of four weeks of credit towards her phase one programming.

On May 29, 2019, Cain submitted a sweat patch yielding positive results for methamphetamine. She denied any use of illicit substances. She was sanctioned with a loss of two weeks of credit towards her phase one programming, and two consecutive days of incarceration.

On July 30, 2019, Cain was arrested for possession of drug paraphernalia. She was in violation for the new law violation and being in association with another known felon. Cain was sanctioned with 30 days of location monitoring with a home detention schedule, complete weekly support group meetings, and the loss of two weeks of credit towards phase one programming.

On September 17, 2019, this officer received an information call from the Gladstone, Missouri Police Department, reporting having contact with Cain at a “high crime rate residence”, with another known felon. The reporting officer wanted to make the Probation Office aware of the situation, as it was concerning behavior for both Cain and the other known felon. Cain was sanctioned with the loss of two weeks of credit towards phase one programming.

On October 8, 2019, Cain submitted a diluted urine specimen for testing, and was directed to have a sweat patch applied immediately. Upon this directive, Cain admitted to relapsing on methamphetamine, and requested assistance with intensive treatment. The Court sanctioned Cain with completing inpatient treatment. Cain completed inpatient treatment on November 15, 2019.

On November 22, 2019, Cain submitted a sweat patch yielding positive results for methamphetamine. On December 5, 2019, Cain was terminated from the REC program.

Supervision Adjustment

Cain's adjustment to supervision is considered poor. Despite the numerous attempts of the Probation Office and REC team to assist Cain with her issues within the community, she is unable to complete her community supervision at this time. Cain has reported working for Express Temporary Agency, and placed at a warehouse in Kansas City, Missouri. She has been participating in structured drug testing through sweat patch testing, code-a-phone, and random urinalysis testing. Cain is also administered random breathalyzer tests during all contacts with this officer. She was attending weekly dual diagnosis counseling sessions through Rediscover, and meeting with the psychiatrist. Recently, she completed 28 days of inpatient treatment through Pathways in Warrensburg, Missouri.

Recommendation

Cain has shown a blatant disregard of the conditions of supervision by continuing to test positive for methamphetamine, even though she has been afforded a slew of community resources to deter this type of behavior. This officer respectfully recommends that a supervised release violator's warrant be issued for Cain's arrest, and that she be ordered to appear before the Court for a revocation hearing. At this point, it is clear from these serious violations that Cain has no intention of abiding by the requirements of community supervision.

Assistant U.S. Attorney Bruce Rhoades was notified of this recommendation and has presented no objection.

Should Your Honor concur, the appropriate Order is attached. Should Your Honor desire other action, please advise

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,



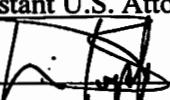
Stephanie L. Werning
U.S. Probation Officer

SLW:beh

Attachments

cc: Bruce Rhoades, Assistant U.S. Attorney

Approved:



_____, Supervisor

UNITED STATES OF AMERICA v. Stephanie Jo Cain

Case No. 12-00268-14-CR-W-DGK

Stephanie L. Werning
U.S. Probation Officer

LIST OF VIOLATIONS

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PROB 19
(Rev. 5/92)

UNITED STATES DISTRICT COURT

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U.S. MARSHAL'S OFFICE
Western District Of Missouri
2019 DEC 20 PM 4:05

JAN 21 2020

JAMES W. McCORMACK, CLERK
By: *[Signature]*
DEP CLERK

U.S.A. vs. STEPHANIE JO CAIN

Docket No. 12-00268-14-CR-W-DGK

TO: any United States Marshal, or his deputies, or any other authorized law enforcement officer

WARRANT FOR ARREST OF SUPERVISED RELEASEE

You are hereby commanded to arrest the within-named Supervised Releasee and bring him or her, forthwith, before the United States District Court to answer charges that he or she violated the conditions of his or her Supervised Release imposed by the court.

NAME OF SUPERVISED RELEASEE Stephanie Jo Cain	SEX Female	RACE White	AGE 30
ADDRESS (STREET, CITY, STATE)	6302 North Park Avenue Gladstone, MO 64118		
SENTENCE IMPOSED BY (NAME OF COURT) WESTERN DISTRICT OF MISSOURI - KANSAS CITY	DATE IMPOSED 11/24/2014		
TO BE BROUGHT BEFORE (NAME OF COURT, CITY, STATE) U.S. District Court Western District of Missouri Kansas City, MO 64106	<i>[Handwritten signature]</i>		
COURT EXECUTIVE Paige Wymore-Wynn	(BY) DEPUTY CLERK <i>[Handwritten signature]</i>	DATE 10/20/19	

RETURN

Warrant received and executed.	DATE RECEIVED	DATE EXECUTED
EXECUTING AGENCY (NAME AND ADDRESS)		
NAME	(BY)	DATE

200
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and is not used on the front of the seal.

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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
STEPHANIE JO CAIN) Case No. 12-00268-14-CR-W-DGK
vs.)
Defendant.)

ORDER FOR ISSUANCE OF WARRANT FOR ARREST

On December 20, 2019, the Probation Office for the Western District of Missouri transmitted a "violation report" recommending that a warrant for arrest be issued. For good cause appearing and on the recommendation of the Probation Office, it is ORDERED that the Clerk of the Court shall forthwith issue a warrant for arrest directed to any United States Marshal, or any other authorized officer, directing that Stephanie Jo Cain be taken into custody and that she be brought before the nearest available United States Magistrate Judge to determine whether there is probable cause to believe that Stephanie Jo Cain has committed one or more acts constituting a violation of the Conditions of Supervised Release, thus requiring that she be held for a final revocation hearing before a Judge of this Court.

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the Western District of Missouri.

Date Filed: 12/20/19 Paige A. Wymore-Wynn, Clerk
By:  Deputy Clerk

/s/ Greg Kays

GREG KAYS
U.S. DISTRICT JUDGE

Dated at Kansas City, Missouri, this 20th day of December, 2019.

